

(d)(1) Is pursuing a doctoral degree that will not lead to an academic career and is—

(i) A citizen or national of the United States;

(ii) A permanent resident of the United States;

(iii) In the United States for other than a temporary purpose and intends to become a permanent resident; or

(iv) A citizen of any one of the Freely Associated States; or

(2) Is pursuing a doctoral degree that will lead to an academic career and is a citizen of the United States.

(Authority: 20 U.S.C. 1134-1134d)

[58 FR 58084, Oct. 28, 1993, as amended at 64 FR 3199, Jan. 20, 1999]

**§ 650.3 What regulations apply to the Jacob K. Javits Fellowship Program?**

The following regulations apply to this program:

(a) The regulations in this part 650.

(b) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).

(2) 34 CFR part 75 (Direct Grant Programs), except for the following:

(i) Subpart C (How to Apply for a Grant);

(ii) Subpart D (How Grants Are Made); and

(iii) Sections 75.580 through 75.592 of subpart E.

(3) 34 CFR part 77 (Definitions that Apply to Department Regulations), except for the terms “grantee” and “recipient.”

(4) 34 CFR part 82 (New Restrictions on Lobbying).

(5) 34 CFR part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(6) 34 CFR part 86 (Drug-Free Schools and Campuses).

(Authority: 20 U.S.C. 1134)

**§ 650.4 What definitions apply to the Jacob K. Javits Fellowship Program?**

The following definitions apply to terms used in this part:

*Academic year* means the 12-month period beginning with the fall instructional term of the institution of higher education.

*Act* means the Higher Education Act of 1965, as amended.

*Department* means any program, unit or any other administrative subdivision of an institution of higher education that—

(1) Directly administers or supervises post-baccalaureate instruction in a specific discipline; and

(2) Has the authority to award academic course credit acceptable to meet degree requirements at an institution of higher education.

*Fellow* means a recipient of a Jacob K. Javits fellowship under this part.

*Fellowship* means an award made to a person for graduate study under this part.

*Fellowship Board* means the Jacob K. Javits Fellowship Program Fellowship Board, composed of individual representatives of both public and private institutions of higher education who are appointed by the Secretary to establish general policies for the program and oversee its operation.

*Financial need* means the fellow's financial need as determined under part F of title IV of the HEA, for the period of the fellow's enrollment in the approved academic field of study for which the fellowship was awarded.

*Grantee* means an institution of higher education that administers a fellowship award under this part.

*HEA* means the Higher Education Act of 1965, as amended.

*Institution* means an institution of higher education.

*Institution of higher education* means an institution of higher education as defined in section 1201(a) of the HEA.

*Institutional payment* means the amount paid by the Secretary to the institution of higher education in which the fellow is enrolled to be applied against the tuition and fees required of the fellow by the institution as part of the fellow's instructional program.

## § 650.5

*Knows or has reason to know* means that a person with respect to a statement—

- (1) Has actual knowledge that the statement is false or fictitious;
- (2) Acts in deliberate ignorance of the truth or falsity of the statement; or
- (3) Acts in reckless disregard of the truth or falsity of the statement.

*Recipient* means an institution of higher education that administers a fellowship award under this part.

*Satisfactory progress* means that the fellow meets or exceeds the institution's criteria and standards established for all doctoral students' continued status as applicants for the doctoral degree in the academic field of study for which the fellowship was awarded.

*Secretary* means Secretary of the Department of Education or an official or employee of the Department acting for the Secretary under a delegation of authority.

*Stipend* means the amount paid to an individual awarded a fellowship, including an allowance for subsistence and other expenses for the individual and his or her dependents.

(Authority: 20 U.S.C. 1134-1134d)

[58 FR 58084, Oct. 28, 1993, as amended at 64 FR 3199, Jan. 20, 1999]

## § 650.5 What does a fellowship award include?

The Secretary awards fellowships consisting of the following:

- (a) A stipend paid to the fellow, based upon an annual determination of the fellow's financial need, as described in § 650.42.
- (b) An annual payment made to the institution in which the fellow is enrolled as described in § 650.41.

(Authority: 20 U.S.C. 1134b)

## Subpart B—How Does an Individual Apply for a Fellowship?

### § 650.10 How does an individual apply for a fellowship?

An individual shall apply to the Secretary for a fellowship award in response to an application notice pub-

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lished by the Secretary in the FEDERAL REGISTER.

(Authority: 20 U.S.C. 1134)

## Subpart C—How Are Fellows Selected?

### § 650.20 What are the selection procedures?

(a) The Fellowship Board establishes criteria for the selection of fellows.

(b) Each year the Fellowship Board selects specific fields of study, and the number of fellows in each field (within the humanities, arts and social sciences), for which fellowships will be awarded.

(c) The Fellowship Board, or in the event the Secretary contracts with a non-governmental entity to administer the program, that non-governmental entity, appoints panels of distinguished individuals in each field to evaluate applications.

(d) The Secretary may make awards of the fellowships each year in two or more stages, taking into account at each stage the amount of funds remaining after the level of funding for awards previously made has been established or adjusted.

(Authority: 20 U.S.C. 1134a)

[58 FR 58084, Oct. 28, 1993, as amended at 64 FR 3199, Jan. 20, 1999]

## Subpart D—What Conditions Must be Met By Fellows?

### § 650.30 Where may fellows study?

A fellow may use the fellowship only for enrollment in a doctoral program at an institution of higher education accredited by an accrediting agency or association recognized by the Secretary, which accepts the fellow for graduate study, and which has agreed to comply with the provisions of this part applicable to institutions.

(Authority: 20 U.S.C. 1134-1134d)

[58 FR 58084, Oct. 28, 1993, as amended at 64 FR 3199, Jan. 20, 1999]

### § 650.31 How does an individual accept a fellowship?

(a) An individual notified by the Secretary of selection as a fellow shall inform the Secretary of the individual's